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November 9, 2021

Honorable Alison J. Nathan
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Ghislaine Maxwell*
S2 20 Cr. 330 (AJN)

Dear Judge Nathan:

The government's opposition to releasing Ghislaine Maxwell from pretrial detention (Dkt. 423) is a long-winded regurgitation of prior writings and rulings and underscores its determination to ignore the presumption of innocence and punish Ms. Maxwell pretrial for her association with Jeffrey Epstein. The indictment against her federalizes a New York State B misdemeanor which carries a maximum penalty of 90 days. Ms. Maxwell, who awaits trial, has served that five times over. Ms. Maxwell is not, and has never been, a flight risk. At every opportunity, Ms. Maxwell has vigorously asserted her innocence and her eagerness to face these unsubstantiated charges in court. She should be allowed to do so outside of the confines of the MDC, where her conditions of confinement significantly impede her ability to prepare for trial, negatively impact her health, and compromise her stamina to endure the rigors of trial.

The Court now has the 3500 material and *Giglio* material which seriously undermine the strength of the government's case and underscore the lack of corroboration, facts which the government cannot and does not even attempt to refute. Rather, the government urges the Court to rely on prior rulings that were based on government conjecture that is not substantiated by recent disclosures. The Court and defense now have the witness statements, and they seriously call into question prior rulings based on the purported strength of the government's case.

Ms. Maxwell is being treated differently than other defendants within and outside jail. Her conditions of confinement are extraordinary and “redundant” and have impeded her ability to prepare for trial. Harvey Weinstein and Bill Cosby were permitted to walk into the courthouse each day of their respective trials. Not until their verdicts were rendered, adjudging them guilty, were they detained. They were accorded dignity to defend themselves. Ms. Maxwell has not.

The Court should release Ms. Maxwell from pretrial detention. It is the right and just thing to do, most especially for a mature woman with no criminal history, no history of violence, who poses no threat to the community, is not a flight risk, and is eager for her day in court. Ghislaine Maxwell looks forward to her trial and to walking out of the courthouse uncuffed and unshackled following her acquittal.

Very truly yours,

/s/

BOBBI C. STERNHEIM

cc: All counsel of record